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SUPERVISORY REVIEW REQUESTED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ROBERT E. JONES

Serial No.: 09/668,494 Art Unit: 3629

Filed: 09/22/2000 Examiner: Dixon, T.

For: AUTOMATED METHOD AND SYSTEM FOR RECOGNIZING UNFULFILLED OBLIGATIONS AND INITIATING STEPS TO CONVERT SAID OBLIGATION TO A FULFILLED STATUS OR TO A NULL STATUS FOR RESALE

RECORD OF INTERVIEW

Honorable Commissioner of Patents

Alexandria, Virginia 22313

Sir:

The telephonic interview of May 7, 2003 is hereby made of record additionally to the record thereof in the Amendment under 37 CFR 1.111 filed of even date, the interview being held between the Examiner and the Applicant's representative. The Applicant's representative hereby disputes the indications given by the Examiner in the Interview Summary dated May 12, 2003, and received on May 16, 2003 to the extent that the Examiner did not indicate during the interview that a convincing showing had been made by the Applicant's representative to any degree relative to the validity of the "reference" as prior art under 35 USC 102 and that the

CERTIFICATE OF MAILING: I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, this ~~30~~ 6th day of ~~June~~ May, 2003.

Date ~~May 30, 2003~~ June 6, 2003

Kenneth E. Darnell Reg. No. 26541

reference was not enabling for all the claims. The Examiner may well have reconsidered his position on these two matters after the interview on realization of the deficiencies of the reference and of the law the Examiner apparently believed to be applicable on these particular points.

The Applicant's representative concurs with the Examiner's indications in the Interview Summary dated May 12, 2003 that the Examiner appeared to believe that the reference shows "the" process as old and well known even though the Applicant's representative strongly disagreed and presented overwhelming arguments to the contrary including a showing that the reference only cited "a" process rather than the claimed process and that this "a" process was completely lacking in utility vis a vis the claimed invention. As pointed out in the aforesaid Amendment, the Examiner's argument even if valid would not apply to apparatus claims but only to process claims. These matters are fully discussed in the Amendment.

The Applicant's representative concurs that the Examiner contended during the interview that the arguments presented by the Applicant's representative regarding the validity of the 103 reference were not accepted. This matter is fully addressed in the Amendment.

The Applicant's representative concurs that the Examiner contended during the interview that the ancient case history, *In re Venner*, is applicable precedent in 2003, a contention addressed in the Amendment.

The Applicant's representative again states that the Examiner needs to reexamine his positions and allow the claims asserted in the Amendment.

Respectfully submitted,

Kenneth E. Darnell

Kenneth E. Darnell
Reg. No. 26541

PO Box 16362
Portal, Arizona 85632
520 558-2216